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## TRANSCRIPT OF RECORD

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### Supreme Court of the United States

OCTOBER TERM, 1952 1953

No. 8 1

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OLIVER BROWN, MRS. RICHARD LAWTON, MRS.  
SADIE EMMANUEL, ET AL., APPELLANTS,

vs.

BOARD OF EDUCATION OF TOPEKA, SHAWNEE  
COUNTY, KANSAS, ET AL.

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APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF KANSAS

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FILED NOVEMBER 19, 1951

Probable jurisdiction noted June 9, 1952



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[fol. 272] LOUISA HOLT, having been first duly sworn, assumed the stand and testified as follows:

Direct examination.

By Mr. Carter:

Q. Mrs. Holt, what is your occupation?

A. I am a social psychologist.

Q. Would you indicate to the Court what your educational background is.

A. I received the Bachelor's Degree, Master's Degree and Ph.D. all from Radcliffe College, which is the feminine adjunct of Harvard University. This was in the field of sociology in the Department of Social Relations there, which includes cultural anthropology, clinical psychology, social psychology, as well as sociology.

Q. Mrs. Holt, would you also describe your various job experiences.

A. Well, I started under an arrangement which gave me a kind of internship in public administration where I worked in the Federal Bureau of Prisons.

Q. Where was this?

A. For six months in Alderson, West Virginia; for about nine months in Washington. Following that, I had a year of graduate study concurrent with work in a settlement house in Boston, South End House, and then was appointed an instructor in sociology at Skidmore College and also [fol. 273] director of a college community center in Saratoga Springs. I was then returned to Radcliffe College where I was appointed a teaching fellow and tutor in sociology. Concurrently with that, I held a Sigmund Freud Memorial Fellowship at the Boston Psychoanalytic Institute in 1944 and 1945. Following these other jobs, I participated in some research work for the Family Society of Boston in connection with their vocational counseling service. I was then an educational counselor for the National Institute of Public Affairs in Washington. From 1947 to 1949 I held a part-time appointment in the Menninger Foundation School of Psychiatry and for part of that time in their school of clinical psychology affiliated with the University of Kansas.



Q. That is located in this city?

A. What's that?

A. Is that in Topeka?

A. Yes. In the interim, there was a post-doctorate research fellowship of the National Institute of Mental Health. This past year I have been on the faculty of the University of Kansas in the Psychology Department, teaching courses in social psychology and personality and some of their inter-relations. At the same time I also prepared a long paper for a United States Public Health Service project in connection with the Mid-Century Whitehouse Conference [fol. 274] on Children and Youth dealing with the problems, the methodology of evaluating mental health programs.

Q. What is your major field of interests, Mrs. Holt?

A. It's probably clear that I am interested in the relations between social process and social conditions and personality functioning behavior.

Q. Are you a member of any professional societies?

A. The American Sociological Society, the Society for Applied Anthropology, Society for the Psychological Study of Social Issues, the American Society for Group Psychotherapy and Psychodrama, and I am an associate member of the Topeka Psychoanalytic Society.

Q. Mrs. Holt, are you at all familiar with the school system in Topeka?

A. Yes; I have one child who entered that system this last year and another who enters next September.

Q. You are then aware of the fact that the schools are operated on a segregated basis.

A. I am.

Q. Based upon your experience and your knowledge, taking the segregated factor alone in the school system in Topeka, in your opinion does enforced legal separation have any adverse effect upon the personality development of the negro child?

[fol. 275] A. The fact that it is enforced, that it is legal, I think, has more importance than the mere fact of segregation by itself does because this gives legal and official sanction to a policy which inevitably is interpreted both by white people and by negroes as denoting the inferiority of the negro group. Were it not for the sense that one group



is inferior to the other, there would be no basis, and I am not granting that this is a rational basis, for such segregation.

Q. Well, does this interference have any effect, in your opinion, on the learning process?

A. A sense of inferiority must always affect one's motivation for learning since it affects the feeling one has of one's self as a person, as a personality or a self or an ego identity, as Eric Erickson has recently expressed it. That sense of ego identity is built up on the basis of attitudes that are expressed toward a person by others who are important. First the parents and then teachers, other people in the community, whether they are older or one's own peers. It is other peoples reactions to one's self which most basically affects the conception of one's self that one has. If these attitudes that are reflected back and then internalized or projected, are unfavorable ones, then one develops a sense of one's self as an inferior being. That may not be deleterious necessarily from the standpoint of [fol. 276] educational motivation. I believe in some cases it can lead to stronger motivation to achieve well in academic pursuits, to strive to disprove to the world that one is inferior since the world feels that one is inferior. In other cases, of course, the reaction may be the opposite and apathetic acceptance, fatalistic submission to the feeling others have expressed that one is inferior and therefore any efforts to prove otherwise would be doomed to failure.

Q. Now these difficulties that you have described, whether they give a feeling of inferiority which you were motivated to attempt to disprove to the world by doing more or whether they give you a feeling of inferiority and therefore cause you to do less, would you say that the difficulties which segregation causes in the public school system interfere with a well—development of a well-rounded personality?

A. I think the maximum or maximal development of any personality can only be based on the potentialities which that individual himself possesses. Of course they are affected for good or ill by the attitudes, opinions, feelings, which are expressed by others and which may be fossilized into laws. On the other hand, these can be overcome in



exceptional cases. The instances I cited of those whose motivation to succeed in academic competition is heightened [fol. 277] may very well not be fulfilling their own most basic, most appropriate potentialities but seeking, rather, to tilt against windmills, to disprove something which there was no valid reason, in my opinion, to think was so anyhow, namely, the feeling of their inferiority. So even when educational success is achieved that still may not denote the most self-realization of the person. I feel, if I may add another word, I feel that when segregation exists, it's not something—although it may seem to be such—that is directed against people for what they are. It is directed against them on the basis of who their parents are, since that is the definition which, according to sociologists and social psychologists analysis of the matter, that is used in determining who shall go to a segregated school, a negro school or a white school; it is not simply skin color. In the case of Walter White, for example, and sociologist Allison Davis, his brother, John Davis, who are negroes, their skin color is lighter than mine; of course, I have been out in the sun—the definition does depend upon who a person's parents were. That appears also if a dark-skinned person had parents who were high potentates in India he is not defined as a negro; therefore he is not required to use segregated facilities. It is not the skin color; it is who the parents were, and my understanding and various sociolo- [fol. 278] gists and psychologists analysis of the American tradition, religious tradition as well as set of values and ethos, determining much of our most valued and significant behavior, hinges upon a belief in treating people upon their own merits and we are inclined to oppose a view which states that we should respect people or reject them on the basis of who their parents were.

Q. Now, Mrs. Holt, you are aware of the fact that segregation is practiced in Topeka only for the first six grades. Thereafter, the child goes to high school and junior high school apparently without regard to race or color. You have described difficulties and interferences with the personality development which occurs by virtue of segregation at the first six grades. Is the integration of the child at the



junior high school level, does that correct these difficulties which you have just spoken of, in your opinion?

A. I think it's a theory that would be accepted by virtually all students of personality development that the earlier a significant event occurs in the life of an individual the more lasting, the more far-reaching and deeper the effects of that incident, that trauma, will be; the more—the earlier an event occurs, the more difficult it is later on to eradicate those effects.

[fol. 279] Q. Your opinion would be that it would be more difficult to eradicate those effects at the junior high school level, is that it; merely because you integrate them at the junior high school level—

A. Well, once a trauma has occurred, and I do believe that attending a segregated school, perhaps after the pre-school years of free play with others of different skin color, is a trauma to the negro child; that occurs early. There is also evidence emerging from a study now going on at Harvard University that the later achievement of individuals in their adult occupational careers can be predicted at the first grade. If that is true, it means that the important effects of schooling in relation to later achievement are set down at that early age, and I therefore don't think that simply removing segregation at a somewhat later grade could possibly *undue* those effects.

Cross-examination:

By Mr. Goodell:

Q. You mean, Mrs. Holt, there is a serious study being made now to project in the future whether a child in the first grade is going to be a flop or a success?

A. I do.

Q. You have confidence in that, do you?

A. That study is being directed by Professor Tawsett [fol. 280] Parsons, the head of the Department of Social Relations.

Q. You have a good deal of confidence in that?

A. I certainly do.

Q. You made a comment in your testimony I would like



to call your attention to again; this segregation in some cases would spur, act as a whiplash, on the child to spur him on and make him achieve, and that would be a bad thing.

A. Yes.

Q. You mean it's a bad thing, for example, for a poor boy, because he is poor, the whiplash of poverty makes him work harder to rise higher; that is a bad thing?

A. I mean that that can be at the expense of healthy personality development, self-actualization, self-realization of the most basic fundamental and appropriate kind for that person, and we have plenty of evidence of people who burn themselves out with various emotional or perhaps psychosomatic diseases in whose cases that can be attributed to this overweening striving for competitive success to overcome feelings of inferiority.

Q. Mrs. Holt, more or less educational process has in it competitive features, that is, the children are given tests and examinations and gradecards and the ones that don't make good grades, they get poor grades; at least the teacher gives them their merit grade. You don't believe [fol. 281] in that, do you?

A. I believe in the children being appraised on the basis of their own objective achievement.

Q. You don't believe, then, in any sort of competition in the public school system, do you?

A. I believe competition has its values.

Q. Do you believe in that in the way it's carried on and have competitive examinations and gradecarding and things of that kind?

A. I don't know how else one can operate a society in which individuals are judged primarily on their own merits rather than through connections of who their parents were or who they know which are the alternatives to that system.

Q. Progressive education, that is one of the elements that they believe which has been set up in California and other areas, to abolish all grading, abolish all examinations, let every child go to school and never have to worry about what his grades are; never know what they are, isn't that right?



A. I think a child needs some definiteness in the expectations which the authorities over him, the teachers, have in order to stimulate him to his own maximal productiveness. I think also competition with his peers, if not carried to excessive limits, if not *if not* undue emphasis is placed on it, can also have very beneficial effects.

[fol. 282] Q. These are your personal views you have been giving here largely.

A. They are based on a fair amount of acquaintance with scientific work in this field.

Mr. Goodell: That is all.

If the Court please, at the outset the Court mentioned—I don't care to be objecting about it, but the Court, I thought, suggested a limit on this line of testimony.

Judge Mellott: That is about nine now that we have had on this phase. How many more are there?

Mr. Greenberg: Pardon me, sir, I didn't hear you.

Judge Mellott: You have had several now of the so-called expert testimony; how many will there be?

Mr. Greenberg: We have three or four more, Your Honor, and they are all different.

Judge Huxman: Well, now, we are not disposed to be critical, but it's my opinion from having listened to this testimony, the last four witnesses—that it's all cumulative. I can see no difference, substantial difference, between any of the testimony of the last three or four witnesses. It's fifteen minutes until adjournment time. We are going to have to adjourn this evening at 4:30 on account of a commitment I have. We can, perhaps, finish one more witness in that time. Then I suggest that you gentlemen tonight really appraise your witnesses and appraise this evidence, see whether my statement is warranted that this evidence we are now receiving is all substantially the same and, unless there is more difference in the testimony that you have, we might well have the qualifications of the remaining witnesses read into the record and have a stipulation that their testimony as to the effect of segregation itself upon the mental attitude upon the outlook and life of the student is substantially as testified to by these witnesses. I am just simply suggesting that, saying not that